

National Aeronautics and Space Admin.

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Subpart 4—Small Business Policy

AUTHORITY: 42 U.S.C. 2473(c)(5); 42 U.S.C. 2473b; Public Law 101–507, the VA/HUD/Indep. Agencies Appropriation Act for FY 1991, at 104 Stat. 1380 (Nov. 5, 1990); and 15 U.S.C. 631–650.

SOURCE: 58 FR 43554, Aug. 17, 1993, unless otherwise noted.

§ 1204.400 Scope of subpart.

This subpart establishes NASA’s small business policy and outlines the delegation of authority in implementing this policy as required by Federal law.

§ 1204.401 Policy.

(a) It is the policy of NASA to enable small business concerns (including small women-owned businesses), Historically Black Colleges and Universities, and other minority educational institutions the opportunity to participate equitably and proportionately in its total purchases and contracts consistent with NASA’s needs to execute its missions.

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(b) In carrying out the NASA procurement program, the primary consideration shall be that of securing contract performance, including obtaining deliveries of required items or services at the time, in the quantity and of the quality prescribed. In the area of research and development contracts, the general policy of NASA is to award such contracts to those organizations determined by responsible personnel to have a high degree of competence in the specific branch of science or technology required for the successful conduct of the work. It is in the interest of the civilian space program that the number of firms engaged in research and development work for NASA be expanded and that there be an increase in the extent of participation in such work by competent small and small disadvantaged business firms.

§ 1204.402 Responsibilities.

(a) *Office of Small and Disadvantaged Business Utilization (OSDBU).* The Associate Administrator for Small and Disadvantaged Business Utilization, NASA Headquarters, is responsible for the development, supervision, and coordination of the NASA Small Business Program. The Associate Administrator is also responsible for formulating policy and procedures relating to small business, and representing NASA before other Government agencies on matters primarily affecting small business.

(b) *NASA Headquarters and Field Installations.* The Directors of Field Installations and the Associate Administrator for Procurement at Headquarters will designate a qualified individual as a "Small Business Specialist" to provide a central point of contact to which small and small disadvantaged business concerns may direct inquiries concerning participation in the NASA procurement program, or secure assistance in submitting bids or proposals and performance of contracts. Where the Director of the Field Installation considers that the volume of procurement at the Installation does not warrant a full-time Small Business Specialist, the Director may assign such duties to qualified procurement personnel on a part-time basis. NASA Field Installations shall establish and maintain liaison with the Small Business

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Administration (SBA) Procurement Center Representative (PCR) or the appropriate Small Business Administration Regional Office in matters relating to Field Installation procurement activities. A Small Business Technical Advisor shall be assigned to each contracting activity within the agency to which the SBA has assigned a PCR.

§ 1204.403 General requirements.

(a) All proposed procurement transactions in excess of \$25,000 shall be examined by a Small Business Specialist prior to issuance of bids or requests for proposals to determine suitability for small participation or set-asides, unless the transaction has already been set-aside for small business by the contracting officer.

(b) The appropriate office of the Small Business Administration (assigned PCR) shall be informed of proposed procurements estimated to exceed \$25,000.

(c) A Bidder's list shall be maintained at each Field Installation on a current basis and reviewed to ensure that small business firms are given an equitable opportunity to participate in those procurements suitable for performance by such firms. Installations may use, at their option, the SBA Procurement Automated Source System (PASS) in lieu of the separate Center Bidder's list, if resources can be conserved.

(d) NASA Small Business Specialists shall acquire descriptive data, brochures, or other information concerning small business firms that appear competent to perform research and development (R&D) work in fields in which NASA is interested and furnish such information to appropriate NASA personnel for consideration of these firms in future R&D procurements. The Small Business Specialists at Headquarters and Field Installations shall assist and consult, as necessary, with NASA technical personnel in analyzing such information, arranging field inspection of facilities, making appointments for technical personnel with representatives of small business firms, and obtaining from other agencies appraisals of work performance by